

Remarks

In the Office Action claims 41-42, 44, and 52 were rejected based solely on statutory double-patenting, to be discussed below. The Applicant has cancelled claims 33, 40-41, 44-45, and 52 and added claims 54-56, which represent dependent claims 41, 44, and 52, respectively, rewritten in independent form. Additionally, claims 34, 42-43, 46-49, and 51 have been amended to depend upon these independent claims. Therefore, all of the pending claims are claims that were rejected based solely on statutory double-patenting, or dependent claims referring to those claims.

The amendments entered relate to the formality of presentation. None have been entered to overcome prior art. In particular, claims 54-56 now stand substantially the same as they were previously submitted (as claims 41, 44, and 52, respectively), except in independent forms.

Claim Rejections

35 USC 103(a) rejection of claims 33-40, 43, 45-49, 50-51, and 53 over Kasama in view of Budd

In the Office Action claims 33-40, 43, 45-49, 50-51, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kasama in view of Budd. These rejections stand moot in view of the amendments presented above and therefore will not be addressed.

Non-statutory double patenting rejections of claims 33-53

In the Office Action claims claims 33-53 are rejected under the judicially created doctrine of double-patenting over Stahl. The Applicants refer to the enclosed material presented as a terminal disclaimer in compliance with 37 C.F.R. 1.321(c). Therefore, the Applicants respectfully request that the Examiner withdraw this rejection as it applies to claims 34-39, 42-43, 46-51, and 53-56.

Conclusion

In view of the foregoing, the Applicant respectfully submits that claims 34-39, 42-43, 46-51, and 53-56 as presented are in condition for allowance. Thus, early issuance of Notice of Allowance is respectfully requested.

If the Examiner has any questions, he is invited to contact the undersigned at (503) 796-2972.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393. A Fee Transmittal is enclosed in duplicate for fee processing purposes.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

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Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97204
Telephone: 503-222-9981



Nathan R. Maki
Registration No. 51,110